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### The Opinion Volume 17 Number 7 – February 17, 1977

The Opinion

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#### Recommended Citation

The Opinion, "The Opinion Volume 17 Number 7 – February 17, 1977" (1977). *The Opinion Newspaper*. 119.

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# Opinion

Opinion  
John Lord O'Brian Hall  
SUNY/B, North Campus  
Buffalo, New York 14260

Volume 17, Number 7

State University of New York at Buffalo School of Law

February 17, 1977

## Proposed budget includes funds for law students

by Connie Farley

State University Supplemental Tuition Award (SUSTA) funds earmarked for law students are included in the proposed State University of New York 1977-78 budget but there is no guarantee that they will stay there, according to financial aid officials.

The same amount appropriated for law students' SUSTA this year — \$237,000 — is being requested by SUNY Central and included in the governor's budget for next year. The final decision on what items will be approved probably will be made by the state legislature sometime in late March, Martin Lefkowitz, coordinator of financial aid services at SUNY Central told the *Opinion* Friday.

This year, SUSTA and the state's Tuition Assistance Program (TAP) combined are paying about \$1,450 of the \$2,000 law school tuition bill for between 160 and 170 law students who are state residents and whose net annual income is less than \$2,000. In previous years, SUSTA paid full tuition for students who met those criteria, but last spring, when the state was in the throes of a financial emergency, the program was first eliminated from the budget, and finally restored in a scaled-down version.

The precise amounts paid this year are not yet available because only students who qualify for the full \$600 per year TAP get the

— cont'd. on page four

## Sec. of State Cuomo heads law panel on government

Mario M. Cuomo, New York's secretary of state, will be the featured panelist at a conference on local government and the state Constitution at 10 a.m. Friday, Feb. 25 in the law school Moot Court Room. Cuomo and six other panelists will discuss the limitations placed on local governments by the state Constitution and the problems those limitations cause.

The conference, open to law school students and faculty, is sponsored by the State and Local Government Law Program at the law school. It is the first of a series of workshops and meetings, and is part of the Program's continuing effort to bring together law students, local officials and municipal attorneys to discuss recent developments in state and local government law.

On the panel with Cuomo will be: Robert W. Marshlow of the New York City law firm of Wilkie, Farr and Gallagher; Prof. Arch T. Dotson of the Cornell University Department of Government and staff director of the Intergovernmental Relations Committee of the 1967 New York Constitutional Convention; William E. Straub, Erie County Attorney; Myra Stuart, assistant Erie County attorney; Edward T. Rogowski, assistant professor of political science at York College of CUNY; and James L. Magavern, former Erie County Attorney and an adjunct professor of law at SUNYAB Law School.



Cuomo, a cum laude graduate of St. John's University School of Law, was appointed Secretary of State by Gov. Carey on Jan. 1, 1975.

In addition to sponsoring its Feb. 25 conference, the State and Local Government Law Program at the law school has several aims, including providing full curriculum in state and local government and offering a series of publications for state and local lawmakers and practitioners.

The Program has tentatively scheduled a conference on real property tax assessment for mid-March, according to David Deutsch, a third-year law student and co-chairperson of the Program board. Deutsch added that students interested in learning more about the Program are invited to stop in Room 412, O'Brian Hall.

## Hastings gets youth; UB loses super prof

Assistant professor Mary Kay Kane has accepted an associate professorship at Hastings Law School in San Francisco for Fall, 1977.

Kane expects to teach Civil Procedure, Conflicts and Remedies at her new post.

A 1971 graduate of University of Michigan Law School, Kane worked on a National Science Foundation Project at Harvard Law for three years before coming to Buffalo. She has been on the SUNYAB Law School faculty for three years.

In a recent interview, Kane said that she anticipates larger classes at Hastings than she taught here at Buffalo.

She also explained that, unlike SUNYAB Law School professors, most of the Hastings faculty are over 65 years old. Hastings has tried to attract well-known figures who have completed the most active part of their careers, but who are still interested in teaching, Kane said.

The present Hastings faculty includes such individuals as Roger Traynor and William Lockhardt.

According to Kane, Hastings is attempting to achieve a better balance between older and younger faculty by inviting a greater number of young professors to the school.



During the Spring 1976 semester she spent at Hastings, she found working with the older faculty very exciting, Kane said. She explained that since many of the faculty members had already made reputations for themselves in their fields, they were less time pressured and able to spend more time with students and other faculty members.

Kane compared working with the faculty at Hastings to working with Professor Homburger, explaining how the contact with people of so much experience and knowledge could be of tremendous value to a younger faculty member.

In considering her three years at SUNYAB Law School, Kane

said that her close association with Homburger was one of the things she enjoyed most. Noting that the faculty at Buffalo is one of its biggest assets, Kane explained that her relationships with all her colleagues made the decision to accept the Hastings position difficult.

In response to a question regarding her interests in law other than teaching, Kane explained that she might take a year away from teaching to practice in order to keep in contact with the more practical aspects of the field. She emphasized, however, that teaching as well as research and writing are her primary interests.

## Administration addresses allegations of cheating on exams

by Robert Selcov

Amid allegations of cheating on last semester's final examinations, the Law School's administration is undertaking a study of ways in which to eliminate cheating in the future.

At least two students in Prof. George Zimmerman's fall semester Corporations class have made complaints about cheating on the December exam. Students were permitted to bring only a copy of the New York Business Corporation Law with them to the exam, but according to the complainants, several students wrote extensive notes inside their BCL book for use during the exam. Professor Zimmerman confirmed last week that he had received the complaints attached to bluebooks.

Dean Thomas Headrick said that while he does not know how serious the problem is in general, plans are currently being analyzed that would minimize cheating and the opportunity for it.

The Dean said that the existence of a problem in this area was brought to his attention soon after his arrival in Buffalo last fall. After conversations with various personnel at the Law School, he realized that some changes would be necessary in order to improve security on exams.

Associate Dean Barry Boyer has developed a preliminary proposal of possible actions which could be taken to cut down on cheating. His suggestions include direct faculty monitoring of exams and permitting students to discuss take home exams, with grading based upon the assumption that it has taken place. This plan has not yet been evaluated by the Dean and Associate Dean Boyer.

The Dean said that any plan would have to be fully discussed and thought through before being presented to the Academic Policy and Programming Committee for adoption. In addition, the plan would first be tested for administrative practicality. He

stated that any proposal should not interfere with the faculty's discretion to determine the form of examination in their courses.

The Dean said that he was not fully satisfied with the proposal's suggestion that discussion of take home exams be allowed. He stated that this results in very similar papers being submitted with grading based upon style and writing ability. Although such examinations may be good learning experiences, they do not serve their function of sorting students out according to their ability to recognize and work with the issues involved.

Faculty monitoring of exams is aimed at eliminating the students' ability to bring unauthorized material with them to examinations. This would be especially effective when a limited open book exam is given in which only specified materials are permitted to be used as references.

— cont'd. on page four

# Editorial

The uncertain future of the State University Supplemental Tuition Award (SUSTA) should be of concern to everyone at the law school.

For those committed to providing a legal education to students regardless of their financial status, the possible loss of the funds threatens to change the make-up of the student body from middle and lower class to a more privileged group.

For those interested in academic prestige, the reduction in the size of the pool of students who can afford to attend SUNYAB Law School may mean fewer bright students to choose from.

Finally, for the students who could still manage to stay in law school without SUSTA, it would mean longer hours at outside jobs, larger loans (for those whose loan ceilings have not already been exceeded) and more financial strain on families.

A frantic last-minute lobbying effort in Albany got the SUSTA funds restored when they were cut from the state budget last spring. That effort was organized by a group of interested students who ultimately received help from the administration and the Student Bar Association.

This year, we hope the job won't be left to anyone who is willing to take it on. The SBA is the logical group to represent the students to the SUNY officials who make up the proposed budget and to the legislators who must approve it. Some additional clout from the administration will also be helpful.

And now, while the budget is in the planning stages, is the time to start.

## BLP researches bail and tax topics

Buffalo Legislation Project has recently announced its spring semester projects.

Gail Heppell will edit a project for the Assembly Codes Committee. Project members Beverly Jacklin and Ray Cerreta will work with her to draft legislation to revise the bail laws. The project results from an analysis of the current status of bail law, a study of alternatives to the money bail system BLP completed for that committee last semester, and the testimony the project members gave at a public hearing on bail reform last November.

BLP is continuing a project for the Corporation Counsel, Cynthia Weaver will work with Paul Meyer and John Suda to revise certain city ordinances to comply with the requirements of the first amendment.

Becky Mitchell will assist Editor Earl Robinson in a project requested by the New York State Consumer Protection Board. They will update and annotate the New York State Consumer Law Handbook to reflect changing legislation.

The State Commission on Judicial Conduct has requested assistance from BLP in drafting an amendment to the New York State Constitution designed to permit the Court on the Judiciary to retain jurisdiction over judges after the Court has convened, but before charges of misconduct have officially been made. Such an amendment would allow the Court to continue its investigation and complete proceedings to bar a judge from holding public office in the future. Barry Oster will edit this project and work with members Larry Zuckerman and Craig Johnson.

Alan Gerstman and members Leslie Carron and Kim Hunter are assisting the Assembly Program and Committee Staff in an effort to minimize conflicts of interest in the operation of half-way houses by employees of the Department of Mental Hygiene.

Editor John Arpey will work for Assemblyman Ronald Tills to review existing studies of tax incentives designed to slow the exodus of industry from Western New York. Members have not yet been assigned to this project.

BLP is presenting a seminar with Librarian Karen Smith Friday, Feb. 18, to acquaint members with the resources of the Documents Library. The time for the seminar will be posted in the BLP office.

Vol. 17, No. 7

OPINION

February 17, 1977

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The Student Bar Association is sponsoring a production of Gilbert and Sullivan's "Trial By Jury." Scheduled for performance April 22, the operetta will require about two hours per week of rehearsal, either Wednesday afternoons or Sundays. Women and men are still needed for chorus parts. Faculty, staff and students interested in participating should sign the list on the SBA door immediately. Pictured at a preliminary cast meeting are, (l. to r.): Alan Gerstman, Madeline Bernstein, Jim Hohensee, Andrea Edell; seated: Andy Cosentino.

"Trial By Jury," written by Gilbert and Sullivan in the 1870's is the comic rendition in song of a trial for breach of promise to marry. There is no spoken dialog and the entire operetta is set in a courtroom.

The SBA hopes to open the performance to the general public, charge a small admission and donate the proceeds to the library.

## The President's Corner

by Barry Fertel

simply have a good time without having to simultaneously drink alcohol.

What ever happened to that old school spirit? What UB Law School lacks more than anything else is a feeling by its students that they belong. Instead, alienation is the norm and a general feeling of true camaraderie is the exception. Granted we law students do feel an affinity for each other; after all, misery loves company.

Nevertheless, the student body is relatively small, and therefore some sort of esprit de corps should exist. Too often, we bitch about our stay in law school, how the sooner we get out, the better off we are. Well, although law school may very well be one of the least enjoyable experiences we will encounter, the school environment could still be made that much more tolerable. The point is that our relationship amongst ourselves is oriented almost totally around the academic sphere of the school, namely, the L.W. It would be so much more pleasant if students could become acquainted with each other and with faculty members on a non-academic basis. For instance, the school could institute some kind of annual event where everyone, students, faculty and staff, would get together and

simply have a good time without having to simultaneously drink alcohol.

This semester could mark the beginning of such a tradition at UB Law School. Alan Gerstman, a director of the SBA, is presently organizing a production of Gilbert and Sullivan's *Trial by Jury*, a one-act opera which makes an enjoyable mockery of a trial. The entire production would cost less than \$100, while I would think that the resulting benefits would be worthwhile. Students would interact in this frolic solely for the fun of it, not for an "H", not for any award, not for any "brownie points," and not even for a job. Hopefully, faculty and staff will also participate. The only problem is whether students will get up off their flat behinds and take part.

Who knows? There might be other such social events which will help to make law school just that much more tolerable. We might even have a "roast" of our lovable faculty by students (as many law schools presently engage in) where students put on a set of skits mocking various famous members of the faculty. It's about time that this school's constituents, faculty and students alike, got together and had some fun.

## Administrative Bulletins

The Schwab Memorial Award Essay Contest is conducted each year by the Section of Family Law of the American Bar Association. The subject is any aspect of family law, and the contest is open to all law students in the second and third years of all ABA-approved law schools, and to those first-year students enrolled in some schools where the subject of family law is part of the first-year curriculum.

Entry blanks may be secured from the Family Law Section, ABA, 1155 E. 60th Street, Chicago, Illinois, 60637. Closing date for entries is April 18, 1977. Some descriptive information is available in Mr. Canfield's office or Ms. Consiglio's.

The Hastie Fellowship, named after the late Judge William H. Hastie (former Chief Judge of the Third Circuit, and former Dean,

Howard University Law School) is designed to enable a minority group member to prepare himself or herself for a law teaching career, and at the same time render some assistance to minority law students. He or she may be presently a third-year law student, or someone who has been out of school for a while.

The position has a 2-year tenure, with (1) half the time of each year devoted toward acquisition of an LL.M. degree, and (2) half the time assisting or advising minority law students with the possibility of gaining some experience in formal law teaching. Two fellows will be selected. Candidates must be Black, Chicano, Puerto Rican, or Native American, and have a distinguished law school record.

For further information please see Mr. Canfield or Ms. Consiglio.

Law students who regard themselves as matriculants, or as prospective matriculants, in a joint degree program, should contact Mr. Allan Canfield, Assistant to the Dean, as soon as possible, room 311 O'Brien, or telephone 636-2057.

\* \* \*

A special parking spot for disabled students and faculty is operative in the Flint Lot, to the West of the Law Building, near the flag poles.

Students or faculty members who wish to have a parking permit may obtain one from Campus Police, Winspear Avenue, if they have a medical note certifying their disability.

Students and faculty who park in the spots marked for disabled parking run the risk of having their cars towed away. A \$25.00 fine is levied.



# Another Buffalo snow job from nature and the press

by Dean Silvers

"... Do not go gentle into that good night,  
Rage, rage, against the dying of the light..."

Dylan Thomas

Last week old man winter and mother nature combined forces to wreak havoc upon the children of Buffalo, bringing a state of siege upon its defenses in this City kindly referred to as the "Miami of the North." Initially what hit us (besides the snow and wind) was the fact that amidst modern technology and all the advances of modern man, the grandeur, splendor and raw power of nature will always remain supreme.

After this piece of "philosophical-perspective realization," and seven days of snow, I noticed the development of a curious and strange phenomenon. It seemed that the newscasters' stories of the increasing poor weather conditions. In other words, although the weather was getting better, you would have never known it if you stayed indoors and watched the news.

Granted, the weather was atrocious, crippling New York's economy, and putting Buffalo in a "deep freeze." It also deserved the major disaster area funds it finally received. But with the obvious clearing of the conditions, why did we still receive this continuous "snow job" by the newscasters?

Buffalo is said to be one of the most political cities in this country. Perhaps the media's actions were purely politically motivated by the city government in order to receive those desperately needed federal funds. Or perhaps it is part of modern man's continued "need to suffer," to achieve a living-martyrdom amidst the frustration and banality of his modern-day alienations and living conditions that maintained this false sense of disaster in the face of the calming weather conditions.

However, whether the media reports were accurate or not is not the major point. It just illuminates the real and dangerous situation that has befallen us in this technological age.

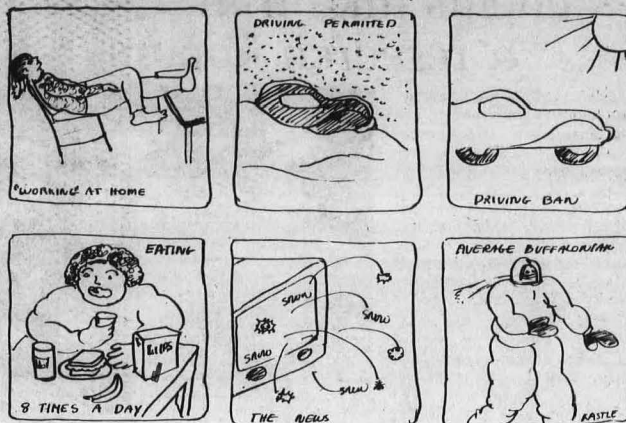
The mass media has enormous power; this is obvious. President Carter sends millions in federal aid to an area of New York he has not even seen in person, but knows from 45-second reports of the national news, and a one-day visit by expert "weather advisor" Chip Carter, his son.

Ask a media person why he overlays the situation, and he or she will answer quickly. They were sent up from New York City to report on the weather to a national audience. Audiences are kept by maintaining their interests. If they were to show scenes of a serene Buffalo it would not hold the audience's attention and the reporter would be out of a job. Logically, they must report or even create excitement just to keep their jobs. And the effect is that reality is left waiting, subservient to the needs and desires of the media.

The media has enormous powers to change perceptions. It is, unwittingly or not, the greatest tool of propaganda we have in society. This is evidenced in many fashions. When insurgents topple a government, the first thing they do is take control of the mass media; whenever a leader wishes to suppress his or her opposition he or she will censor the mass media outlets and the list goes on and on.

In the media there exists a vague and obscure distinction between reality and fantasy. Whether something is fact or fiction is unimportant, for when it is seen on the "National News," and told to us by Walter Cronkite (who, incidentally, in a recent poll, was chosen the most respected and admired person in America), it becomes fact!

A DAY IN THE LIFE JANUARY 1977



Such implications are awesome, and all signs point to an increasing dependence upon the media. From the time William Randolph Hearst ordered Joseph Pulitzer to "create" a Spanish-American conflict with his trusty camera and pen, we in America have lived by this "sword," and indeed, we might just die by this "sword." In a recent movie about Senator Joe McCarthy, the "communist-fighter" of the fifties, we saw how McCarthy realized the existence of this great power source. He molded it, preyed upon it, and eventually became a part of it, and hand-in-hand they created one of the darkest events in American history.

It is an ever increasing battle of personal liberty versus "technological totalitarianism," and lest we end up like citizens in a Kafkaesque society we must make ourselves aware. When asked at the end of the Joe McCarthy movie, "could it happen again?" the response was, "Hasn't it?" or perhaps more aptly, "Won't it?"

## Lower Outside Corner

by Tanis Reid

We'd had a good deal of snow on Thursday, so classes were cancelled for Friday. But Friday morning was clear, even sunny, and after bad weather had already put us behind schedule on the newspaper, I thought I'd take advantage of the day off from school to catch up on the newspaper work.

I didn't really see the snow begin that day. There weren't very many windows in the building. I really didn't look up from the typewriter until the middle of the afternoon when a maintenance engineer walked into my office with a "What are you doing here?"

I was sitting at a typewriter. I mean, it was almost too obvious to explain and I didn't have to because before I got a chance to say anything, he asked another question. "Haven't you looked outside? We're having a terrible storm. Fifty-mile-an-hour winds. You'll never get out of here now. If you try, you'll probably freeze to death. Sixty degrees below out there." He had a little screwdriver in his hand. "I have to turn your heat down," he said, and then left.

I got out a bobby pin that looked a little like his screwdriver to see if maybe I could turn the heat back up. No good. Although I didn't realize it at the time, the thermostat was a good example of how well insulated the building was against the vandalism of its inmates. Next, I looked out the window, or at least I tried to look out the window. Through the little of the glass that was not covered with frozen ice, all I could see was white, but I could hear the wind blowing. My mind is well-adjusted to white noise, so I came away from the window and returned to my typewriter.

It was late in the evening when the maintenance engineer returned to my office. I was tired of typing and cold. I had called the house, but the folks there were sympathetically apologetic. No, I'd have to stay here. The engineer told me that someone had brought us some food. When I got to the fourth floor lounge, I discovered that "us" included about forty men and one other woman. In the group there were one law reviewer and two students studying for the bar; the others were not students.

I don't know why really, but I felt uncomfortable in the lounge. Maybe it was because the room was too small for that many people. Or maybe because there was this tension in the room. Some people were saying that this was to go on for hours, even days. Others just sat there quietly, doing and saying nothing. I decided to walk the halls.

The wind was still howling and pounding snow against the window. From what I could see under the campus lights, the land in front of the building looked like the Russian Tundra in *Doctor Zhivago*. Perhaps all this would be worth it, if there was a chance Omar Sharif would come riding up on his horse to save me. But I remembered Lara was a blonde. Omar was not about to come out in this kind of weather for a brunette. No, if this scene called for a brunette at all, it called for a Dorothy. I could just see all of O'Brian being lifted into the sky and dropped on the Land of Oz. As I thought this, while looking into an empty room 106, my mind began filling the seats with law school munchkins who were spouting high-pitched legalese in response to a question sung in a German accent by the munchkin mayor.

I felt weak. It must have been the dinner. Not that I didn't appreciate it, nor that, under the circumstances, it didn't taste very good. It was just the combination: orange juice and chili. And then, too, the building was cold... and most of it empty... and... and I did not feel well at all. I needed rest.

As I turned away from 106, the engineer appeared. He had a pillow with him. I couldn't imagine having a fresh white pillow in a place like O'Brian, but I was tired now, and glad for the pillow. We walked down a long hall — it was white with lots of doors, all evenly spaced from each other and all closed.

He opened the last door in the hall. He turned up the thermostat. Promising he would come back in the morning, he locked the door for me and left. I looked around the room. It was so white and so clean. There was a little bed and other furniture, all of it sort of built into the room.

I sat on the bed. It was becoming pretty clear. After two and a half years... it had come to this. I guess I had always expected it after the first semester. And I was really too tired at this point to think about it, except I thought if they really wanted to help me — I mean, if they were going to try to attempt some cure — you would have thought they would have taken this New York Practice book, the one I'd been carrying around for the last couple of hours, away from me before they locked the door.

### SUMMER SESSION I May 25 - July 5

NAME OF COURSE	NUMBER CREDITS	FACULTY
Legal Ethics	1	Dean Monroe Freedman
Conflict of Laws	3	Prof. Aaron Twerski
Evidence	4	Prof. Abraham Ordovery
Family Law	3	Prof. John Gregory
Individual Income Tax	4	Prof. Stuart Filler
Legal Issues in Public Education	3	Prof. John Gregory

Real Estate Transactions	3	Prof. Herman Hillman
Remedies	3	Prof. Malachy Mahon
Secured Transactions	3	Prof. Malachy Mahon
Commercial Paper	3	Prof. Alan Resnick
Criminal Procedure I	3	Prof. Leon Friedman
Land Use Planning	3	Prof. Ronald Silverman
Business Organizations	4	Prof. Jan Deutsch

Constitutional Law I	3	Prof. Jan Deutsch
Legal Responsibility and the Corporation (seminar)	3	Prof. Jan Deutsch

### SUMMER SESSION II July 7 - August 15

NAME OF COURSE	NUMBER CREDITS	FACULTY
Products Liability	3	Prof. Aaron Twerski
Labor Law	3	Prof. Eric Schmetz
Advanced Procedure	3	Prof. Eric Lane
Debtor - Creditor	3	Prof. Alan Resnick
Entertainment Law	3	Prof. Joseph Bianco
Seminar in Trial Advocacy	3	Prof. Lawrence Kessler
Constitutional Law II	3	Prof. Arthur Bonfield

Wills, Trusts and Estates	4	Prof. John Scullio, Prof. of Law, Duquesne University School of Law
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## HOFSTRA LAW SCHOOL

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1977

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## Students take trial & research honors

Nine SUNY at Buffalo senior law students received awards from the Erie County Trial Lawyers' Association for outstanding work in their respective trial technique classes.

Honored students include Richard Biryła, Thomas Collins, Warren Freeman, Irwin Gilbert, Stephen Lipton, John Molloy, Stewart O'Brien, Timothy Stouffer and Cynthia Weaver.

Trial technique instructors selected the students on the basis of their performance in trial simulated situations. At the end of the term, students participated in day-long mock trials held in downtown Buffalo courtrooms before practicing judges and high school students acting as jurors.

Two second year students have taken prizes in a national competition for their papers on law and medicine.

Meryl Amster's paper on "Voluntary Sterilization Causes of Action for Malpractice" won second place in the 1976 John P. Rattigan Student Essay Contest sponsored by the American Society of Law & Medicine, and Monica Dodd's paper on "Determination of Death" took honorable mention. Amster's prize carried a \$100 award.

The 25-page papers were written for Prof. Jacob Hyman's section of the freshman legal



Trial Technique Winners: Steve Lipton, Stew O'Brien, John Molloy, Tom Collins, Tim Stouffer. Not pictured: Richard Biryła, Warren Freeman, Irwin Gilbert and Cynthia Weaver.

research and writing course last spring. They have been submitted to *Medicolegal News* and *The American Journal of Law & Medicine* for possible publication. Amster and Dodd were winners of the Desmond Moot Court Competition last fall.

Manuscripts for this year's contest must be submitted to the American Society of Law & Medicine, 454 Brookline Avenue, Boston, Mass. 02215 by September 15, 1977. The contest is open to students currently enrolled in U.S. and Canadian graduate programs of law, medicine, dentistry, veterinary medicine, pharmacy, nursing, social work, hospital administration, public health,

insurance and other fields of study involved with medicolegal matters. Papers on any subject of medicolegal interest may be submitted.

First, Second and Third prizes carry cash awards of \$300, \$150 and \$100. One Honorable Mention is also awarded.

## Frosh photos gone; LSAT scores stay

by Jan Barber

Your picture will no longer appear on your law school transcript with your grades and LSAT score. The Law School Registrar's Office late this fall started blacking out the student photos from the back of the transcript.

Registrar Charles Wallin said there was no real reason to have the picture on the transcript. The picture has been the one the student submitted when she or he applied to law school. So, in the case of seniors, the picture has been at least three years old.

Student Bar Association President Barry Fertel had asked Wallin to give students the chance to delete the picture or allow students to submit a more recent picture to replace the file copy. Fertel pointed out that the file picture might show a student in casual attire which might not make a favorable impression on employers. He also said the picture could be used for discrimination.

Students' pictures will still be kept in their permanent files, Wallin said. The pictures are kept as a convenience for faculty who may be asked by students years after graduation for a recommendation. They can check the file to match name and face.

Fertel said he also asked Wallin to consider deleting the LSAT score from the back of the transcripts. Wallin said he would discuss that with the Law School's Academic Policy and Program Committee. "I'm sure all law schools I know put the LSAT score on," Wallin said. "I don't know if it is an absolute necessity."

Students' pictures and LSAT scores have appeared on UB Law School transcripts for 25 to 30 years.

## Here at the western new yorker

Unhappy with the traditional routes most young attorneys wind up following, a number of recent graduates have decided to tread different paths, letting their law backgrounds work for them in more creative ways. We spoke with one of the more successful of the adventurers, Miss E.L. Pirkis, who has quietly but fecundly been putting out a new series of novels for young readers. *Cherry Ames, Student Lawyer*; *Cherry Ames, Tax Auditor*, and *Cherry Ames, Watergate Special Prosecutor* have been great sellers. *Cherry Ames, Estate Planner*, and *Cherry Ames, Public Utility Rate Regulator* have not done quite as well, but Miss Pirkis feels that the lack of public acclaim for those titles points to the general lack of interest in esoterica on the part of young people today.

In *Cherry Ames, Tax Auditor*, Miss Ames poses as a customer at *La Grenouille* during an investigation on non-reporting of income by headwaiters. In this searing novel Miss Pirkis not only gets to exhibit her virtuosity for the more intricate sections of the *Code*, but her not inconsiderable accomplishments as a gourmet are displayed in her recipes for *Coquilles St. Jacques a la Maison*, and a divine *Chestnut Mousse* that will send you gasping for air.

In *Cherry Ames, Watergate Special Prosecutor*, Cherry meets the son of the Attorney General, and after soulful looks during a pre-trial motion to dismiss the indictment against George Steinbrenner (6. pages), soulful looks during the crucial cross-examination of John Dean on just who was on the *Mayflower* (5 pages, sigh), and soulful looks during tense plea bargaining on behalf of Herbert Kalmbach (7 pages, pant pant), Cherry regretfully tells Dereck that she never kisses a boy during the first novel. Miss Pirkis tells us that Cherry will meet Dereck later, in *Cherry Ames, Appellate Division Clerk*, but so far it's four hands on the prosecution side's table.

Each book has an appendix in which all the fashions only briefly noted during the *mise en scene* are described in detail, and there's a handy pull-out section holding Simplicity patterns for all the outfits. In the appendix of *Student Lawyer* there is also a stencil which can be used to convert a pair of sneakers into wing-tipped shoes so one can try on the lifestyle without the initial investment.

We went down to the cafeteria one afternoon, having heard that the area is a meeting place for law students who frequently enter into rather lively as well as scholarly debates on topical subjects in the law. We were pleased to find such a group discussing the change in the law enacted January 1, permitting a right turn on a red signal after a full stop. One Herb Packer enthusiast (a first-year student) was very pleased to see that the law was allowing what had made sense all along. "It's very important," he said, "not to overcriminalize." Another student was upset by what appeared to be a diminishing number of things which were illegal, and wondered how we

were going to test our collective boundaries, re-enforce our social solidarity, and affirm our social commitment, where we couldn't *punish* someone, make someone a deviant. A third student muttered "Durkheimian," and that was the end of that.

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We were walking through the halls of O'Brien the other day and had the time to sit-in on a few classes. A friend of ours has suggested that each professor has ten lucid minutes, and we tried to beat the odds by selecting rooms at random.

We did manage to catch one professor apprising his Tax I class of the difficulties of procuring condoms during the early '40's (no doubt *d'apres* "Summer of '42." The good thing about films is that they can fill in any gaps in your life you might have missed while you were doing your homework.)

Another professor was suggesting to his Criminal Law class that they should make love like they were doing research. (In the dark? With fudged results? With only one pre-conceived outcome possible? With no controls? Using free undergraduate labor? For dubious social benefit? With the latest scientific techniques? With a lot of expensive equipment no one knows how to operate? He didn't say.)

We also heard some very tender offers being made in Regulation of Financial Institutions, but we wouldn't want to embarrass anyone with names.

S. Reich



George Rusk, Bonnie Hager & Roger Scott stand in front of the room 106 exit which was blocked by over 8 ft. of snow. The snow was the result of the early February blizzard which immobilized Buffalo and caused the law school to be closed for an unprecedented 11 days. At press time, the decision had not yet been made as to whether spring break would be cancelled or the semester extended one week to make up for the lost class time. The administration appears to prefer the latter solution, with a possible exception for third year students, whose bar review studies might be interrupted by an extension.

## Cheating

Registrar Charles Wallin said that he was aware that a student in Prof. Zimmerman's class had submitted a note alleging that cheating had taken place. If any student has a specific complaint, the proper procedure is to submit a grievance to the Faculty Student Relations Board, he said.

The FSRB has jurisdiction over student grievances. The alleged wrongdoer would be entitled to a hearing before the board. If he is found guilty, the board would

have the discretion to impose a suitable sanction.

Wallin suggested that effective punishment would be to place a note in the student's file that he or she had been caught cheating on an examination. This would make it extremely difficult for that student to be accepted by the Character Committee of the State Bar Examiners. More extreme sanctions, such as expulsion from the Law School, while within the Board's power, would probably not be taken, he said.

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## SUSTA

additional SUSTA funds, and delays in processing TAP applications have made it difficult to determine who is eligible. Law students have been allowed a \$720 credit against their fall semester tuition and a \$ credit against this semester's tuition pending final determination of who is eligible and how much money is available for each student. SUNYAB Financial Aid Director Joseph Stillwell estimated last week that it will be another couple of months before final figures are known.

As for next year, maintenance of SUSTA at its current level, which would mean only partial tuition aid, must survive review by the Seante Finance Committee and the Assembly Ways and Means Committee before it goes to the legislature for the final vote, Lefkowitz said. Hearings on the governor's budget have already begun, with hearings on SUNY's budget scheduled to begin this week.

"SUSTA is but one of thousands of items in the proposed budget," Lefkowitz noted, adding that it is impossible to predict whether the legislature will approve it.

Stillwell told *Opinion* that even if SUSTA is approved at its current level, proposed changes in eligibility requirements may cut some students out. For example, the governor has proposed that veterans' and social security benefits formerly excluded from a student's income in determining TAP eligibility should now be considered — a change that would put many students over the \$2,000 annual income maximum.

Availability of any SUSTA at all for law students this year has been attributed to lobbying efforts in Albany last April, following passage of a state budget that included no SUSTA. At that time, a group of law students organized a letter writing campaign, personally contacted legislators and finally, with the financial support of the Student Bar Association (SBA) sent 40 students to Albany to urge the lawmakers to restore the funds. The \$237,000 was included in a supplemental budget passed in July.

Although medical and dental students had previously received SUSTA, the July budget did not restore the aid for them, and SUNY financial aid officials told *Opinion* in September that the funds were apparently earmarked for law students in response to contacts made by law students and administrators during the lobbying campaign.